

REMARKS

Applicant respectfully requests reconsideration of this application. Claims 1-22 were pending. Claims 15-22 have been withdrawn. No claims have been amended or canceled. Claims 1-14 remain in the application.

Applicant has elected to prosecute claims 1-14. Claims 15-22 have been withdrawn.

The Examiner has rejected claims 1 and 6-9 under 35 U.S.C. §102(b) as being anticipated by Johnson (US 3,778,662). Applicant respectfully traverses the rejection. Claim 1 sets forth “a sapphire body having a first end and a second end, the first end being coupled to a first cap and the second end being coupled to a second cap to define a sealed envelope, wherein a first electrode being **mounted in the first cap** and a second electrode being **mounted in the second cap** are enclosed within the envelope.” (Claim 1, emphasis added). In contrast, Johnson fails to disclose at least the above limitations.

Johnson discloses a fluorescent lamp having an inner envelope 14 with an elongated tubular shape. The ends of envelope 14 terminate in a pair of reentrant seals 18. Inleads 13 pass through seals 18 and are terminated in a pair of discharge electrodes 19. (Johnson, col. 2, ln.15-25). Note that the electrodes 19 are **held by the inleads 13** (see also the figure in Johnson). The electrodes 19 are *not* mounted in the seals 18, which the Examiner analogized to be the first and second caps recited in claim 1 (Office Action, p.3). Therefore, Johnson fails to anticipate claim 1 for at least this reason. Applicant respectfully requests withdrawal of the rejection.

Claims 6-9 depend, directly or indirectly, from claim 1. Thus, having additional limitations, claims 6-9 are not anticipated by Johnson for at least the reason discussed above with respect to claim 1. Withdrawal of the rejection is respectfully requested.

The Examiner has rejected claims 2-5 under 35 U.S.C. §103(a) as being unpatentable over Johnson as applied to claim 1 above, and further in view of Waymouth (US 3,728,004). Applicant respectfully traverses the rejection. Claims 2-5 depend, directly or indirectly, from claim 1, and thus, include all the limitations set forth in claim 1. For at least the reason discussed above with respect to claim 1, Johnson fails to disclose every limitation set forth in claim 1. Likewise, Waymouth merely discloses an electrode 5 supported by lead-in wires 6 and 7 (Waymouth, col. 2, ln. 58-61; Fig. 1). Waymouth does not disclose that the electrode 5 is mounted in a cap. Thus, Waymouth fails to make up the deficiencies in Johnson. Since a combination of Johnson and Waymouth does not disclose every limitation set forth in claims 2-5, claims 2-5 are patentable over Johnson in view of Waymouth. Withdrawal of the rejection is respectfully requested.

The Examiner has rejected claim 10-14 under 35 U.S.C. §103(a) as being unpatentable over Johnson (as above), in view of Waymouth (as above). Applicant respectfully traverses the rejection. Claim 10 sets forth “a first electrode being **mounted in the first cap** and a second electrode being **mounted in the second cap** are enclosed within the envelope” (claim 10, ln. 4-6; emphasis added). For at least the reasons discussed above with respect to claims 1 and 2, neither Johnson nor Waymouth discloses at least the above limitations. Thus, claim 10 is patentable over Johnson in view of Waymouth for at least this reason. Applicant respectfully requests withdrawal of the rejection.

Claims 11-14 depend, directly or indirectly, from claim 10, and thus, are patentable over Johnson in view of Waymouth for at least the reason discussed above with respect to claim 10. Withdrawal of the rejection is respectfully requested.


Applicant respectfully submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call C. Teresa Wong at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), Applicant hereby requests and authorizes the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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